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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re PATENT APPLICATION of:

Group Art Unit: to be assigned

THEAKER et al.

Examiner: to be assigned

Appln. No.: 09/883,489

Filed: June 19, 2001

FOR: USE OF 2'-O-METHYL RNA AS HYBRIDISATION

Date: October 19, 2001

**Submission Under 37 CFR §§ 1.821 Et Seq.,**

**and**

**Amendment to Comply With Sequence Listing Rules**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated August 21, 2001, Applicants submit the following amendments to comply with Sequence Listing Rules.

**Amendments**

Please add the Sequence Listing pages 1-4 filed herewith.

On page 8 of the application enclosed herewith, please amend lines 4-6 to read as follows:

The improved Beacon is 0009M: (FAM) – CGC GGA AAA AGA CCU  
AUU AGA CAC AGA GAA CAC GCG – (Quencher). Underlined  
portions are the stem. All bases are 2'-O-methyl RNA. (Seq. ID No.: 14)

## **Remarks**

### **I. The Amendments**

The specification of the application was amended by adding the sequence listing to the originally filed application.

In addition, page 8 of the application, was amended to include sequence identification numbers for DNA sequences.

Also, page 8 was amended to correct an error in the nucleotides in the sequence listing at lines 4-5, to correct "ASA" to read --AGA-- in line 4. The need for, and nature of, this correction would be readily apparent to the person skilled in this art from the specification as a whole, see in particular sequence 0007M in Example 1 on page 5. This correction, therefore, does not add new matter, and entry of the same is respectfully requested.

### **II. Submission of Computer Readable Copy of Sequence Listing**

Applicants are including herewith a 3.5 inch computer readable diskette which contains a copy of the newly submitted Sequence Listing in ASCII text.

#### **Statements to Comply With 37 C.F.R. § 1.821 and 1.825**

In compliance with 37 C.F.R. § 1.821(f) and (g), a separate Statement to support filing and submission in accordance with 37 C.F.R. §§ 1.821-1.825 is also submitted herewith.

## **Conclusion**

In light of the present amendments and enclosures, Applicants respectfully submit that all Sequence Listing requirements have now been complied with. It is therefore respectfully submitted that this application is now in condition for substantive review.

If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to call Applicants' undersigned attorney at (703) 905-2018.

Respectfully submitted,

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## Appendix

### Version with Markings to Show Changes Made

The specification of the application was amended to enter sequence identification numbers. Additions are shown in **bold underline** and deletions are shown in **within brackets** to distinguish from the underlining that is already an intended part of the text:

On page 8 of the specification, lines 4-6 were amended as follows:

The improved Beacon is 0009M: (FAM) – CGC GGA AAA **AGA** [ASA]  
CCU AUU AGA CAC AGA GAA CAC GCG – (Quencher). Underlined  
portions are the stem. All bases are 2'-O-methyl RNA. **(Seq. ID No.: 14)**